Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington DC, 20554

In the Matter of:	)	
	)	MB Docket No. 17-105
Modernization of Media Regulation	)	
Initiative	)	
	)	

Comments of Mark D. Humphrey

In response to FCC Public Notice FCC 17-58, released May 18, 2017, Mark D. Humphrey, CPBE offers the following comments regarding the Commission's proposal to "eliminate or modify regulations that are outdated, unnecessary or unduly burdensome". The Commission should consider the following revisions to Parts 73 and 74 of the Rules.

§73.525 -- TV Channel 6 protection. This Rule went into effect about 30 years ago when all television stations employed analog transmission. Modern DTV receivers are less susceptible to FM interference than analog receivers, so the specific contour overlap prohibitions are no longer realistic. The Commission should either eliminate this obsolete Rule or revise it to reflect the significant improvements in modern DTV receiver performance.

§73.1201 -- Station identification. The present Rule requires all radio stations to make an aural call sign and community of license announcement at the top of each hour. This is still realistic for "standalone" stations, but may have become an administrative burden for regional non-commercial networks with several simulcast stations. For example, it takes 30 seconds for WAMC Public Radio (based in Albany, NY and simulcast on 12 stations) to rattle off the hourly list of call letters, a practice which is possibly confusing to listeners who simply think of their local station as "WAMC". Temple University's WRTI simulcast network has a similar issue. I suggest a revision to allow each simulcast FM station to fulfill the legal identification requirement by inclusion of its assigned call sign and community in either the Program Service (PS) or Radiotext (RT) fields of the Radio Data System (RDS or RBDS) data stream at least once per hour; however, the aural ID requirement would remain in place for the primary station of each network.

§73.1675 -- Auxiliary antennas. This Rule (along with Forms 349 and 350) should be revised to allow FM translator and LPFM stations to construct and license auxiliary antennas under the same restrictions that apply to full-service FM stations.

§74.1201(f) -- Definitions. ***(FM broadcast booster station)*** This Rule (along with Forms 349 and 350) should also be revised to allow co-channel boosters to provide fill-in service within the predicted 60 dBu coverage contour of an FM Translator. The Commission recently extended booster eligibility to LPFM stations, but at the present time, CDBS does not allow a translator call sign to be entered as the primary station of a proposed booster.

§74.1204(g) -- Protection of FM broadcast, FM Translator and LP100 stations. To lessen the probability of "intermediate frequency" interference caused by proximity to FM stations that are 53 or 54 channels removed, the present Rule requires all translator stations operating with effective radiated power above 99 watts to comply with unnecessarily restrictive §73.207 minimum separation distances that apply to full Class A (i.e. 6000 watt/100 meter) stations. The rule should be modified to permit use of the §73.207 separations that were in effect between May 17, 1989 and October 2, 1989, before the Class A power limit was increased from 3000 to 6000 watts. These separations are now listed the Rules under §73.213(c)(1).

§74.1205 -- Protection of Channel 6 TV broadcast stations. This Rule was added in 1990 when all television stations used analog transmission. Modern DTV receivers are less susceptible to FM interference than analog receivers, so the specific contour overlap prohibitions are no longer realistic. The Commission should either eliminate this Rule or revise it to reflect improvements in receiver performance.

§74.1231(b) – Purpose and permissible service. The present Rule prohibits the use of alternate signal delivery means (e.g. satellite, terrestrial microwave, or internet) to feed non-fill-in translators operating in the non-reserved band (Channels 221-300), so these translators are required to receive the primary station "directly through space." However, it has become increasingly difficult, particularly in congested markets, for translators to receive a satisfactory input signal, due to digital sideband interference from hybrid IBOC stations (operating in accordance with §73.404) on channels with a first-adjacent relationship to the primary station. Some licensees are forced to choose between retransmission of an extremely noisy signal or terminating operation of the translator, but neither choice serves the public interest. Therefore, the rule should be revised to allow alternate signal delivery if the translator licensee demonstrates that harmful interference is caused by digital sideband interference. To discourage further proliferation of "satellators" operating well beyond the reasonable fringe coverage of the primary station, I recommend that this option be limited to translators located within the F(50,50) 20 dBu (10 microvolt/meter) predicted field strength contour of the primary station.

§74.1235(d) -- Power limitations and antenna systems. The first sentence of the first paragraph is outdated and should be deleted. Several years ago, the US-Canada agreement was revised to allow up to 250 watts for translator and booster stations in the border zone, with a maximum distance to the 34 dBu interfering contour of 60 kilometers, as correctly stated in §74.1235(d)(3).

§74.1265(b) -- Posting of station license. I question the practical need for translator or booster call sign and contact information to be posted on the antenna support structure. As far as I can determine, this requirement has never applied to full service stations which are usually more powerful and more likely to cause interference. Station location and licensee contact information is readily available in CDBS and other online databases.

§74.1283(c)(2) – Station Identification. RDS/RBDS would provide a third method for automatic station identification that is easy and inexpensive for licensees to implement, regardless of the make and model of the transmitter. I suggest a revision to allow FM translators to identify by inclusion of the assigned call sign in either the Program Service (PS) or Radiotext (RT) fields of the RDS data stream at least once per hour.

Respectfully submitted,

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